

The Honorable Barbara J. Rothstein

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

NORTHWEST ENVIRONMENTAL
ADVOCATES,

Plaintiff,

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, *et al.*

Defendants,

and,

STATE OF WASHINGTON,
DEPARTMENT OF ECOLOGY,

Defendant-Intervenor.

Case No. 2:19-cv-01537-BJR

**COMBINED JOINT STATUS
REPORT AND STIPULATED
SCHEDULING MOTION AND
ORDER**

On August 24, 2020, the Parties notified the Court of their collective interest in exploring a settlement for some or all of the claims in this case and requested 90 days to hold settlement discussions. Dkt. No. 40. On August 25, 2020, the Court ordered the Parties to “submit a status report no later than December 1, 2020, apprising the Court of the status of their discussions

1 concerning a possible settlement and indicating whether they request additional time to pursue
 2 such discussions.” Dkt. No. 41. The Parties’ negotiations are ongoing. The Parties request an
 3 additional 90 days to continue those negotiations.

4 Over the past three months, the Parties have worked to reach an agreement to resolve this
 5 matter through a negotiated settlement. Those negotiations have included three meetings
 6 involving all of the Parties, on September 29, 2020, October 7, 2020, and November 13, 2020.
 7 Additional meetings between counsel occurred before and after those meetings.

8 The Parties believe that additional discussions are warranted. As such, the Parties
 9 believe that affording them an approximately 90-day period to conduct such additional discussions
 10 before establishing dates for or initiating any contested motions practice regarding potential
 11 discovery disputes or the resolution of the claims in this case would greatly facilitate those
 12 discussions, as well as potentially preserving the resources of the Parties and the Court.

13 Accordingly, the Parties jointly request that the Court order them to file a status report by
 14 March 1, 2021, to advise the Court of the status of their discussions and whether they request
 15 additional time to pursue settlement should that be appropriate. Alternatively, if the Parties
 16 conclude that additional discussions are not warranted at that time, then the Parties request that the
 17 Court direct them to file no later than March 17, 2021, a supplemental joint status report and
 18 proposed schedule that addresses the remaining matters in the Court’s initial scheduling order.
 19 Doc. No. 10.

20 ORDER

21 Based on the foregoing joint motion and stipulation, and for good cause shown, the Parties
 22 shall file a status report no later than March 1, 2020, apprising the Court of the status of their
 23 discussions concerning a possible settlement and indicating whether they request additional time
 24 to pursue such discussions. In the event the Parties conclude that such additional discussions are
 25 not warranted, the Parties shall file no later than March 17, 2021, a supplemental joint status report
 26 and proposed schedule that addresses outstanding matters in the Court’s initial scheduling order.

1 It is so Ordered, this _____ day of _____, 2020.

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6 United States District Judge
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1 Respectfully submitted and stipulated to:

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing Status Report and Stipulation was electronically filed with the Clerk of the Court on December 1, 2020, using the Court's electronic filing system, which will send notification of said filing to the attorneys of record that have, as required, registered with the Court's system.

s/ Andrew Hawley

Andrew Hawley